

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

CITY OF ROCKFORD,

Plaintiff,

v.

MALLINCKRODT ARD, INC., *et al.*,

Defendants.

Case No. 3:17-cv-50107

District Judge Iain D. Johnston

Magistrate Judge Lisa A. Jensen

**THE EXPRESS SCRIPTS ENTITIES' RESPONSE TO THE THIRD-PARTY
REQUEST TO UNSEAL THE DEPOSITION TRANSCRIPT OF DR. STEVEN MILLER**

Pursuant to the Court's July 12, 2023 Order, ECF No. 846, Defendants Express Scripts Holding Co., Express Scripts, Inc., CuraScript, Inc. d/b/a CuraScript, SD, Accredo Health Group, Inc., and United BioSource Corp. n/k/a United BioSource LLC (collectively, the "**Express Scripts Entities**") respectfully submit this response to the request of third-party Maureen Tkacik to unseal the September 15, 2022 deposition transcript of Dr. Steven Miller, ECF No. 845.

The Express Scripts Entities do not object to unsealing Dr. Miller's September 15, 2022 deposition transcript, which was attached as Exhibit C3 to Plaintiff's reply in support of its motion for class certification, ECF No. 746. For the convenience of the Court, the Express Scripts Entities have attached an unredacted copy of Dr. Miller's transcript with this filing. In the interest of providing a complete record of Dr. Miller's testimony, the Express Scripts Entities have also attached with this filing Dr. Miller's March 29, 2023 deposition transcript, none of which was designated as confidential.

The Express Scripts Entities reserve all rights with regard to any additional requests to unseal other documents or deposition transcripts. That includes any documents used as exhibits during Dr. Miller's deposition, several of which contain confidential, commercially sensitive and/or trade secret information. *See, e.g.,* The Express Scripts Entities' Response to Plaintiff's Motion to Determine Confidentiality, ECF No. 800, at 7-14 (describing basis for good cause to maintain confidentiality with regard to certain types of documents).

Dated: July 19, 2023

Respectfully Submitted,

/s/ Eric C. Lyttle

Michael J. Lyle, Esq. (ARDC #6199227)

Eric C. Lyttle, Esq. (*pro hac vice*)

Meghan A. McCaffrey, Esq. (*pro hac vice*)

Michael D. Bonanno, Esq. (*pro hac vice*)

J. Matthew Hamann, Esq. (*pro hac vice*)

QUINN EMANUEL URQUHART & SULLIVAN, LLP

1300 I Street NW, Suite 900

Washington, DC 20005

Tel: (202) 538-8000

Fax: (202) 538-8100

mikelyle@quinnemanuel.com

ericlyttle@quinnemanuel.com

meghanmccaffrey@quinnemanuel.com

mikebonanno@quinnemanuel.com

matthewhamann@quinnemanuel.com

Jan H. Ohlander, Esq. (ARDC #3124934)

RENO & ZAHM, LLP

2902 McFarland Rd., Suite 400

Rockford, IL 61107

Tel: (815) 987-4050

Fax: (815) 987-4092

jho@renozahm.com

***Attorneys for Defendants Express Scripts Holding Co.,
Express Scripts, Inc., CuraScript, Inc. d/b/a CuraScript,
SD, Accredo Health Group, Inc., and United BioSource
Corp. n/k/a United BioSource LLC***

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2023, a true and correct copy of the foregoing document was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Eric C. Lyttle

Eric C. Lyttle